

SENATE JOURNAL

Sixty-first Legislature—First Called Session

AUSTIN, TEXAS, MONDAY, JULY 28, 1969

PROCEEDINGS

FIRST DAY

(Monday, July 28, 1969)

In obedience to the proclamation of the Honorable Preston Smith, Governor of the State of Texas, the Senate met in the Senate Chamber at the City of Austin, on the twenty-eighth day of July, 1969, at 11:00 o'clock a.m., and was called to order by the President.

Reverend W. H. Townsend, Chaplain, offered the invocation.

Quorum Present

The President directed the Secretary to call the roll of the Senate.

The roll was called and the following Senators were present:

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

The President announced a quorum of the Senate present.

Leave of Absence

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Mauzy.

PROCLAMATION

by the
Governor of the State of Texas

The President laid before the Senate and directed the Secretary of the Senate to read the following Proclamation from the Governor calling the Special Session:

To all to whom these Presents May Come:

June 30, 1969.

Under the provisions of Article III, Section 5, of the Constitution of Texas, I, Preston Smith, Governor of the State of Texas, do hereby call a special session of the 61st Legislature to be convened in the City of Austin, commencing at 11:00 a.m., Monday, the 28th day of July, 1969, for the following purposes:

1. To enact a two-year general appropriations bill for general state services for the biennium beginning September 1, 1969 and ending August 31, 1971.

2. To provide for sufficient revenue measures to raise adequate revenue to cover the expenditures under said general appropriations bill on a "pay-as-you-go" basis.

3. To consider and act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the members of the Legislature.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of State to be affixed hereto at Austin, this the 30th day of June, A.D., 1969.

PRESTON SMITH,
Governor of Texas.

(Seal)

By the Governor:

MARTIN DIES, JR.,
Secretary of State.

The Proclamation was read and was filed with the Secretary of the Senate.

Senate Concurrent Resolution 1

Senator Brooks offered the following resolution:

S. C. R. No. 1, Extending congratulations to the three men of Apollo 11, their wives and staff of NASA on the successful landing on the moon.

Whereas, The United States of America successfully landed the first men on the moon on July 20, 1969, and brought them home safely, thus placing the crew of Apollo 11—Commander Neil Armstrong, Colonel Edwin E. (Buzz) Aldrin, Jr. and Lieutenant Colonel Michael Collins—among the great explorers of history; and

Whereas, "Houston . . . Tranquility Base here," Commander Armstrong's first words after touchdown, will live in history with his memorable words on man's first walk on the moon, "That is one small step for man, a giant leap for mankind." The Astronauts placed an American flag on the lunar surface and left messages of goodwill from heads of state all over the world. The crew also unveiled a plaque bearing the words: "Here men from planet earth first set foot upon the moon, July, 1969, A.D. We came in peace for all mankind"; and

Whereas, This mission fulfilled the prophecy of a moon landing in this decade and was given impetus by the late President John F. Kennedy and Texas' own native son former President Lyndon B. Johnson. President Richard M. Nixon expressed the gratitude of all Americans and the entire world with his remarks, "This is the greatest week in the history of the world since creation," and ". . . because of what you have done, the heavens have become a part of man's world . . ."; and

Whereas, The Nation owes a debt of gratitude to all the personnel of the National Aeronautics and Space Administration and the Manned Spacecraft Center who performed so many crucial tasks. The families of the Astronauts of Apollo 11, especially their wives—Jan Armstrong, Joan Aldrin and Pat Collins—deserve high praise for their support, encouragement and bravery that inspired the whole nation; and

Whereas, Colonel Aldrin, in a fitting tribute from outer space, asked

all those on earth "to pause for a moment and contemplate the events of the past few hours and give thanks"; now, therefore, be it

Resolved, That the Senate of the State of Texas in Special Session, the House of Representatives concurring, pause and congratulate the three men of Apollo 11, their wives and families and all the support personnel of NASA and those Americans whose technology and dedication contributed to the outstanding success of this epic journey to the moon; and, be it further

Resolved, That copies of this Resolution be prepared for Neil Armstrong, Edwin Aldrin, and Michael Collins and Dr. Robert Gilruth, Director of the Manned Spacecraft Center, as a token of the high esteem of the Legislature of the State of Texas and in grateful appreciation of their extraordinary service to our nation and to mankind.

BROOKS

Signed: Lieutenant Governor Ben Barnes; Aikin, Bates, Bernal, Berry, Blanchard, Bridges, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Harris, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Snelson, Strong, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Jordan, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Brooks, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 2

Senator Hightower offered the following resolution:

S. C. R. No. 2, Inviting the Honorable Preston Smith, Governor of Texas, to address a Joint Session of the Legislature at 11:30 o'clock a.m. on Monday, July 28, 1969.

Whereas, The Honorable Preston Smith, Governor of Texas, desires to deliver a message in person to the 1st Called Session of the 61st Legislature; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representa-

tives concurring, That the two Houses meet in joint session at 11:30 o'clock a.m. in the Hall of the House on Monday, July 28, 1969, to hear the Governor's message.

The resolution was read.

On motion of Senator Hightower, and by unanimous consent, the resolution was considered immediately and was adopted.

Committee to Escort the Governor to Joint Session

The President announced the appointment of the following as a Committee to escort Governor Preston Smith to the Joint Session pursuant to the provisions of H. C. R. No. 1 and S. C. R. No. 2:

Senators Aikin, Berry, Bates, Snelson and Herring.

Senate Resolution 1 (Caucus Report)

Senator Aikin offered the following resolution:

Honorable Ben Barnes
Lieutenant Governor
Senate of Texas
Austin, Texas

Sir: At a caucus held in the office of the Senate attended by 28 members of the Senate, the following recommendations were made, to wit:

The following officers were elected to serve for the First Called Session of the 61st Legislature at the will of the Senate, and at the salaries set opposite their names:

Secretary of the Senate, Charles Schnabel, \$1,475 per month.

Two Assistant Secretaries of the Senate, which shall be appointed by the Secretary of the Senate, \$18 per day.

Journal Clerk, Minnie Meier, \$25 per day; Assistant Journal Clerk, \$20 per day.

Sergeant-at-Arms, for the duration of the First Called Session, Jeff Davis, \$950 per month.

Doorkeeper, Charlie Jones, \$19 per day.

Chaplain, W. H. Townsend, \$15, per day.

Calendar Clerk, Arline Morse, \$25 per day.

Engrossing and Enrolling Clerk, Essie McGinnis, \$25 per day.

Mailing Clerk, Mrs. John Draper, \$25 per day.

Parliamentarian, named by the Lieutenant Governor, Frank Elliott, \$30 per day.

It is recommended that the Lieutenant Governor and the Secretary of Senate each be permitted to name one secretary, the secretary of the Lieutenant Governor to receive \$25 per day and the secretary of the Secretary of the Senate to receive \$22 per day. The salaries of other employees of the Senate may be supplemented at the discretion of the Contingent Expenses Committee. All officers and employees elected by this caucus shall hold their office or employment for the duration of the First Called Session of the 61st Legislature.

It is further recommended that each Senator shall be permitted to employ a secretary and other office help at a maximum payroll of \$125 per day for each such Senator's secretary and employees with the maximum of \$18 per day for any such secretary or other office employee other than legal staff with approval of Contingent Expenses Committee. The names of such employees as are not employed directly in a Senator's office shall be referred to an assignment committee hereinafter provided for and such committee shall be authorized to select employees from such list. Salaries of other employees, unless otherwise fixed by the Senator, shall be \$12 per day.

It is further recommended that the Lieutenant Governor be authorized to name a committee of five, such committee shall be designated as an Assignment Committee for the purpose of assigning employees as herein authorized and the committee be authorized and the committee shall be authorized to select sufficient additional employees to be assigned by it when and where needed.

It is further recommended that the employees and the porters who were selected to prepare the Senate Chamber in advance of the meeting be allowed pay for their services.

It is further recommended that the several appointments of employees heretofore made by the Lieutenant Governor and announced in the Senate and considered by the caucus are confirmed.

The salaries of the day and night elevator operators shall be \$12 per

day each, and the salaries of the porters shall be \$10 per day each, except the head porter whose salary shall be \$17.50 per day and an assistant head porter at \$15.50 per day, and the porter carrying the mail shall receive \$10 per day, and the salaries of the pages shall be \$7.50 per day, \$4 for one-half time, and the salaries of the messengers shall be \$5.50 per day.

The Lieutenant Governor, Senators and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that no employee of the Senate shall, during the time he or she is employed, furnish to any person, firm or corporation any information other than general information furnished the public pertaining to the Senate, and they shall not receive any compensation from any person, firm or corporation during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, Members of the Senate, Secretary of the Senate, committee, or to the head of a department, shall report for duty at eight o'clock a.m., and one o'clock p.m., each day to the Sergeant-at-Arms of the Senate, except part-time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the Lieutenant Governor, each Senator and the Secretary of the Senate, be allowed the stationery and postage needed by them respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that not to exceed 3,500 Journals be printed, all of which shall be prorated among the Senators and Lieutenant Governor, except that 225 Journals shall

be furnished the Members of the House.

It is further recommended that the State Library be furnished 75 copies of the daily Journal.

It is further recommended that the Senate request the State Comptroller of Public Accounts, to issue general revenue warrants for pay of the Members and employees of the Senate upon presentation of the payroll account signed by the Presiding Officer and the Secretary of the Senate.

It is further recommended that each Senator, the Lieutenant Governor, the Secretary of the Senate, the Librarian be permitted to subscribe for 4 newspapers to be paid out of the contingent fund.

The elected officers of the Senate may select, subject to the approval of the Contingent Expenses Committee, employees to fill such key positions as may be authorized by said committee.

It is further recommended that the President of the Senate has exclusive appointment of a sufficient number of custodians, messengers, pages, elevator operators, porters and other employees as in his judgment may be necessary.

It is further recommended that the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee.

It is further recommended that the private rooms allotted to the Senators by the method as adopted by the caucus be assigned to Senators and their successors unless otherwise directed by the Senate.

It is further recommended that each Senator, as quickly as possible, file with the Secretary of the Senate the name of his private secretary selected; that he also file with the Chairman of the Assignment Committee aforesaid the names of the employees selected, together with his or her post office address.

Be it further resolved, That no employee of the Senate except those whose official duties require them to work upon the floor of the Senate, shall have access to the floor unless that employee shall have been re-

requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, which, when performed, he shall immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have the privileges of the floor during the session of the Senate shall be permitted on the Senate floor for a period of thirty minutes prior to the time the Senate convenes. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain on the Senate floor during such thirty minute period.

Respectfully submitted,

A. M. AIKIN, JR.
Chairman of the Caucus
GRADY HAZLEWOOD,
Secretary of the Caucus

On motion of Senator Aikin, and by unanimous consent, the reading of the resolution was dispensed with and the resolution was adopted.

Motion in Writing

Senator Aikin submitted the following Motion in Writing:

Mr. President, I move that the President be authorized to appoint a committee of five (5) members to notify the Governor that the Senate is organized and ready for business.

AIKIN

The motion was read and was adopted.

The President announced the appointment of the following as a committee to notify the Governor:

Senators Watson, Harrington, Patman, Cole and Brooks.

Motion in Writing

Senator Aikin submitted the following Motion in Writing:

Mr. President: I move that the President be authorized to appoint a committee of five (5) members to notify the House that the Senate is organized and ready for business.

AIKIN

The motion was read and was adopted.

The President announced the appointment of the following as a committee to notify the House:

Senator Bridges, McKool, Connally, Bernal and Grover.

Senate Concurrent Resolution 3

Senator Herring offered the following resolution:

S. C. R. No. 3, Inviting W. Robert McLellan, Deputy Assistant Secretary of Commerce, to address a Joint Session of the Legislature for the purpose of presenting the Presidential "E" Award.

Whereas, The State of Texas has received the distinction of having been awarded the Presidential "E" Award for Export Development; and

Whereas, This Award is in recognition of the outstanding job performed by the Texas Industrial Commission for its service in the field of exporting since 1964; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That W. Robert McLellan, Deputy Assistant Secretary of Commerce, be invited to address a Joint Session of the First Called Session of the 61st Legislature at 11:00 a.m. on Tuesday, August 19, 1969, for the purpose of presenting the Presidential "E" Award.

The resolution was read.

On motion of Senator Herring and by unanimous consent the resolution was considered immediately and was adopted.

Senate Notified

A committee from the House appeared at the Bar of the Senate and Representative Hendricks for the committee announced that the House of Representatives was organized and ready to transact business.

Officers of the Senate

The President announced that the duly-elected officers of the Senate named in the Caucus Report for the 61st Legislature would continue in office for the First Called Session of the 61st Legislature.

Senate Resolution 2

Senator Schwartz offered the following resolution:

Resolved, That the permanent rules of the Senate of the 61st Legislature as adopted by the Senate on January 27, 1969, and as published in the supplement of the Manual of the 61st Legislature and as amended by the 61st Legislature, be adopted as the permanent rules of the Senate of the 61st Legislature, First Called Session.

**SCHWARTZ
AIKIN**

The resolution was read and was adopted by the following vote:

Yeas—30

Aikin	Hazlewood
Bates	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Grover	Strong
Hall	Watson
Harrington	Wilson
Harris	Word

Absent—Excused

Kennard

Senate Resolution 3

Senator Aikin offered the following resolution:

Whereas, Senator Tom Creighton sustained severe burns in an accident and is not permitted to wear a coat; now, therefore, be it

Resolved by the Senate, That Rule 99b be suspended insofar as it applies to Senator Creighton until he has fully recovered from the accident.

The resolution was read and was adopted by the following vote:

Yeas—30

Aikin	Connally
Bates	Creighton
Bernal	Grover
Berry	Hall
Blanchard	Harrington
Bridges	Harris
Brooks	Hazlewood
Christie	Herring
Cole	Hightower

Jordan	Schwartz
Mauzy	Snelson
McKool	Strong
Moore	Watson
Patman	Wilson
Ratliff	Word

Absent—Excused

Kennard

House Notified

The Committee to notify the House that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Bridges for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged.

Governor Notified

The Committee to notify the Governor that the Senate was organized and ready to transact business appeared at the Bar of the Senate and Senator Watson for the Committee notified the President and the Members of the Senate that the Committee had performed the duty assigned it.

The Committee was discharged.

Message From the House

Hall of the House of Representatives
Austin, Texas,
July 28, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 1, Inviting the Honorable Preston Smith, Governor of Texas, to address a Joint Session of the Legislature at 11:30 a.m., on July 28, 1969.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**House Concurrent Resolution 1 on
Second Reading**

The President laid before the Senate the following resolution:

H. C. R. No. 1, Inviting the Honorable Preston Smith to address a Joint Session of the Legislature.

The resolution was read.

On motion of Senator Blanchard, and by unanimous consent, the resolution was considered immediately and was adopted.

At Ease

The President announced, at 11:24 o'clock a.m., that the Senate would Stand at Ease Subject to the Joint Session.

Joint Session

(To hear address of Governor Preston Smith)

The President of the Senate and the Senators present escorted by the Sergeant-at-Arms and the Secretary of the Senate proceeded to the Hall of the House of Representatives at 11:30 o'clock a.m. to hear the address of the Honorable Preston Smith, Governor of Texas, pursuant to the provisions of H. C. R. No. 1 and S. C. R. No. 2.

On invitation of the Speaker, the President occupied a seat on the Speaker's Rostrum.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The Honorable Preston Smith, Governor of the State of Texas, accompanied by Mrs. Smith, was announced by the Doorkeeper of the House.

The Governor's party was escorted to the Speaker's Rostrum by Senators Aikin, Berry, Bates, Snelson and Herring, on the part of the Senate, and Representatives Atwell, Nugent, Carrillo, Finnell, Harding, Hale, Tarbox, Santiesteban, Howard, Pickett, Sherman, and Swanson, on the part of the House.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Gus Mutscher, Speaker of the House of Representatives, called the House to order, stated the purpose of the Joint Session and announced a quorum of the House present.

The Speaker presented His Excellency, the Honorable Preston Smith, Governor of the State of Texas.

Governor Smith addressed the Joint Session as follows:

Lieutenant Governor Barnes, Speaker Mutscher, Members of the Legislature, and Guests:

It is always an honor to appear before a Joint Session of the Texas Legislature—even if circumstances from time to time make one appearance more pleasant than another.

It has been only 56 days since adjournment of the Regular Session. A great many of the intervening hours have been spent preparing for this Called Session starting today.

I cannot say there has been any significant change in our financial condition these last 56 days to raise our hopes for this Special Session.

During these same days, however, there has been a significant occurrence that raises our spirits and makes us proud of our country and our countrymen.

Eight days ago, Americans took "one great stride for mankind" by setting foot on the moon. What the next great stride will bring within man's range we cannot say for sure.

But we do know that the greatest physical conquest in our experience has been made. . . . One of mankind's oldest dreams . . . of exploring outer space—has been realized . . . and men's vision has been increased and their spirits uplifted world over.

This the first official opportunity for this Legislature to mark the Glorious Flight of Apollo 11—and to pay tribute to Neil Armstrong, Buzz Aldrin, and Michael Collins—and through them to the thousands and thousands of co-workers who helped them accomplish their historic mission.

Although Texas cannot claim them, they are residents of Texas . . . they were trained here . . . and now they have returned to Texas.

It is most appropriate, I think, for Texas to honor these men—Armstrong, Aldrin and Collins—in a formal manner.

Therefore, I propose that you create a special Medal of Valor to be awarded to these three men—in the name of the State of Texas—never to be issued again.

I propose, as an extension of the purpose for which this Special Session was called, that the presiding officers of the House and Senate immediately appoint a special committee to commission the casting of such a Texas Medal of Valor.

It will be a token—small, but significant of our pride and respect—to mark one of the most momentous events in the history of Man.

And now—as I might say—back down to Earth.

Back to the task—the responsibility—of setting our state finances in order for the biennium beginning September 1, 1969.

A great many things that could be said today will go unsaid, as far as I am concerned.

The chain of events—the actions and reactions and the absence of actions—that brought us back here today actually needs no elaboration.

All of us know why we are here.

I believe that all of us—now that we are here—will want to leave with the mission accomplished . . . the job well done.

The watchword for this Called Session should be harmony—harmony that will make it possible for us to discharge our duties and responsibilities to the people of Texas.

We—and that includes each Member of the Legislature as well as the Governor—we all share a grave burden during the next 30 days. We must listen to the needs and wants of all our citizenry. And we must act responsibly.

We must put aside past differences, we must do more than simply pass tax and spending bills. Priorities must be assigned to the many worthy demands for increased services from our state government.

It is my responsibility as Governor to recommend—and yours as Legislators to pass, in acceptable form, a biennial budget, a fiscal plan for state spending for the next two years.

And we must provide revenue to cover that spending.

We do not have to start from scratch because a vast amount of work already has been done upon a two-year budget. I commend the Legislative leadership—and you, the Members—for the energy and initiative already shown in this field.

A detailed analysis of the budget recommendations I am making today will be furnished you, with a copy of this message. I shall now touch some of the high spots.

The recommendations today call for a state budget totaling \$5.8 billion during the two-year period beginning September 1, 1969.

The appropriations I suggest from General Revenue total one billion,

182 million dollars (\$1 billion, 182 million) for two years.

This amount will exceed by \$307.5 million the estimated revenue available from existing sources after allocations for the public school bills enacted during the Regular Session for the next two years.

The 61st Legislature probably has done more than any previous Legislature for public school education. The very substantial teacher pay raise was but one part of the meaningful legislation enacted during the Regular Session which will vastly improve our school system.

Programs passed—and funded—include teachers' salaries, teachers' sick leave, teachers' aides, special education, vocational education, summer schools, kindergarten programs and several other important items.

The total cost of this education package is approximately \$300 million.

I commend you for these actions. I also remind you that these bills have been signed into law, and the moneys necessary to fund them already have been allocated.

In my first message to this Legislature I stated that "education at every level and of every kind demands and deserves our support." I reiterate that statement at this time.

HIGHER EDUCATION

Having said that, I turn now to higher education . . . an area some suggested was "slighted" in our initial budget.

I am recommending a general revenue fund increase of \$79 million for the biennium for the 22 operative state-supported colleges and universities.

Of this total, approximately \$55 million is required to meet enrollment increases at present spending levels. That figure was in my original budget.

I shall now make new recommendations which I feel will continue higher education along the path of excellence upon which it already has embarked.

To continue to improve the quality of higher education, I now recommend a faculty salary increase of 3.4 percent per year for a cost of \$18 million. I also recommend an increase in operating funds of \$11 million.

It is false economy to postpone needed maintenance. Therefore, I am recommending that \$5.6 million be budgeted for major repairs and renovation of higher education facilities.

NEW COLLEGES AND UNIVERSITIES

In the Regular Session, we authorized the creation of new institutions of higher learning in San Antonio, in Dallas, and in the Midland-Odessa area.

In accordance with the timetable prepared by the Coordinating Board, I recommend planning and initial operating funds to be allocated during the next biennium for these schools, amounting to \$2,850,000.

This procedure will assure an orderly and economical pattern of planning and construction. And it will result in the most efficient use of the taxpayers' dollar.

I am also recommending that Texas A&I University receive \$575,000 for the development of a branch campus at Laredo, as authorized during the past legislative session.

JUNIOR COLLEGES

I am recommending that the state support rate for each student attending a Texas junior college be increased from \$475 to \$510 for a total biennial General Revenue increase of \$16.6 million.

This is a substantial, but reasonable, increase that will enable our junior colleges as enrollment grows to continue providing the fine services they now offer.

VOCATIONAL-TECHNICAL EDUCATION

The importance, even the necessity, of expanding our vocational and technical education offerings must be emphasized again. Here lies the key to shorter welfare rolls, more tax-producing citizens, and better lives for all Texans regardless of their race, their national origin or their economic station.

Vocational-technical education of the magnitude that Texas deserves also will relieve our other educational institutions which always seem to be bursting at the seams.

I am recommending a biennial General Revenue increase of \$10.1 million that will provide nearly four times the amount of General Revenue funds available to junior colleges for vocational and technical education in the past biennium.

By applying estimates of federal funds that will be available, this rec-

ommendation will permit junior college vocational-technical education programs to increase from a funding level of \$5.5 million in 1969 to \$11.4 million in 1970 and to \$12.7 million in 1971.

None could deny that the growth and the accomplishments of the Texas State Technical Institute (formerly Connally Tech) in the past few years have been rapid and beneficial to our state.

I am recommending that additional funds for expanded enrollment and programs at this school be provided and that \$900,000 be appropriated for the development of branch campuses at Harlingen and Amarillo.

MEDICAL, DENTAL AND NURSING EDUCATION

We have established new medical schools at Houston and Lubbock. I need not recite for you the evidence of our need for expanded medical training facilities.

In order that we may begin to meet our medical needs for the future, I am recommending that \$25.8 million be allocated for planning and initial construction and operation of these schools.

The Legislature passed and I signed into law a bill creating a new dental school at San Antonio. I recommend that \$250,000 be allocated for planning and initial operations for the next biennium so that plans for construction can be carried forward.

To provide for our immediate dental education needs, I recommend that \$100,000 be allocated in the second year of the biennium for temporary facilities and operation of the San Antonio dental school, and that \$600,000 be appropriated for expansion of the existing dental school at Houston in fiscal 1970.

This expansion of the Houston facility will permit an increase in the size of the entering dental class from 100 to 120 and of the entering dental hygiene class from 38 to 48.

I am recommending \$200,000 for The University of Texas System to develop the new nursing schools we have authorized for San Antonio and El Paso.

I propose that these growth funds for health care training be supplemented by the appropriation of \$600,000 to the Coordinating Board to contract with Baylor College of Medicine

in Houston and Baylor College of Dentistry in Dallas, in accordance with approved legislation.

In recent years the attention of the world has been focused on Texas doctors, Texas medical facilities and Texas medical schools for their achievements in the transplantation of organs from one human body to another.

I recommend that \$154,000 be allotted to The University of Texas Southwestern Medical School at Dallas for equipment to carry on its work in kidney transplants.

Although this is but a small request in the total budget, its worth in human life will be appreciable.

CLOSED CIRCUIT TELEVISION

In all areas of education, meaningful economies should be sought.

The use of closed circuit television in education can effect economy without lessening quality.

To continue the development of regional closed circuit television networks authorized by earlier Legislatures, I am requesting an appropriation of \$3 million to the Coordinating Board.

* * *

I do not feel that we should slight one area of education to the advantage of another. And it is my belief that these requests represent a balanced and reasonable approach to Texas' education future. If we value Texas, we cannot afford to ignore or slight the education of Texans.

TEXAS INDUSTRIAL COMMISSION

With an investment of only 2.8 cents per capita—compared with the national average of nearly 30 cents per capita—the Texas Industrial Commission has been able to carry out a program of industrial development and economic growth for our state with significant results.

In 1967, six states had budgets in excess of \$1 million for industrial development—averaging \$6.9 million per agency. The Texas Industrial Commission had an appropriation of but \$311,000.

In 1967, there were 666 new plant locations and major expansions announced in Texas, compared with an average of 551 for the other six.

In the last five years, 3,600 new plants or major expansion projects have been announced in Texas, pro-

ducing more than a quarter of a million new jobs in manufacturing.

In brief, compared to other states and considering the amount of money we have invested at the state level in the industrial development program, our results have been excellent.

But still we fall far short of the potentials that could be tapped. We are faced with economic decline in many areas because of our failure to adjust to the changes in the Texas economic base.

It is evident that we must close the gap between per capita personal income here and in the nation as a whole.

I hardly need mention that industrial development means economic development for whole communities, and more jobs for Texas workers.

Considering these needs, I strongly feel that now is the time to chart a new course for Texas—the time to develop a comprehensive industrial plan to meet these challenges.

Included in the plan will be specific feasibility studies on the location of given types of industry in specific areas of the state.

Much work has been done on this new plan, but much more must be done.

Therefore, I am recommending an increase from \$311,000 to \$433,176 in the first year of the biennium and to \$534,959 in the second year for the Texas Industrial Commission.

TRAFFIC SAFETY

The Texas Traffic Safety Act of 1967 established the authority of the Governor to do "all things necessary on behalf of the state to conduct a rigorous traffic safety program."

The act also created a Governor's Safety Fund.

The appropriation basis established by the 60th Legislature yields an annual total of \$2 million.

Each year \$1.8 million of the traffic safety fund has been assigned to the Texas Education Agency for promotion and improvement of the driver education program.

Increasing school enrollments and the consequent growing demand for driver education courses make it apparent that the entire fund soon will be required in that area alone.

On June 1, 1969, the Office of Traffic Safety Administrator was established in the Executive Department.

A prime function of this office will be the securing of full benefits to the state from the Federal government under the Federal Highway Safety Act of 1966. With the increased funding needs of driver education, little promise exists for financing the traffic safety office from present allocations and none exists for matching-grant federal funds involving administration of the 15 federal highway safety standards.

I recommend that the Governor's Traffic Safety Fund be increased from \$2 million to \$3 million in the first year and to \$3.6 million in the second year of the biennium.

OTHER RECOMMENDATIONS

I recommend a one-step salary increase for state employees for the first year of the biennium and an additional step for the second year of the biennium.

I recommend an additional \$2 million for the State Department of Health to be used for the new meat inspection program.

I recommend for the Department of Mental Health and Mental Retardation's community centers program \$5 million in 1970 and \$6 million in 1971, an increase of \$4 million over the present biennial level.

My recommendations also assume adoption of the constitutional amendment raising the welfare ceiling to be voted on August 5.

* * *

There are numerous other recommendations for increases listed in the budget document which you will receive at the close of this talk.

I recommend them to you for study.

You will note that this budget—with exception of higher education—is not inconsistent with my earlier recommendation—when you consider the extra school funds provided in the Regular Session plus the \$30 million requested now contingent upon approval of the Welfare Amendment.

REVENUE RAISING PROPOSALS

It is a challenging and difficult—but generally satisfying—obligation to make appropriations for essential state services.

But it is an awesome and sobering responsibility to propose, or to vote for, the taxes necessary to pay for these services.

I will not dwell upon that, except to recognize that we have a grim obligation to finance state programs adequately and fairly without taxing any individual or segment to the point of confiscation.

We must overcome our reluctance to vote for necessary taxes by reminding ourselves—and our people—of what a historian once said of ancient Athens:

"What the Athenians wanted most was freedom from responsibility, and in the end it was this which caused them to lose all the freedoms they had."

I propose we meet our responsibility in this instance by passing legislation to provide for:

—A one-half of one percent increase in the limited sales, excise and use tax from the current rate of 3 percent to 3½ percent, for a biennial total yield of \$159.3 million.

—Increasing the tax on sale of motor vehicles from 3 percent to 3½ percent for a yield of \$27 million.

—Adding 3 cents to the current 11-cent state tax on cigarettes for a yield of \$53.7 million.

—An increased levy of 50 cents per \$1,000 on the corporate franchise tax to automatically end after two years for a yield of \$27.9 million.

—Placing alcoholic beverages under the sales tax for a total yield of \$39.6 million.

This package would raise \$307.5 million for the biennium.

There are just five items in this taxation package I have proposed. It is not complicated, and I believe it is a package with which we can all live.

The decision to make these specific proposals was not easy. Such decisions never are.

I made two different tax proposals to this Legislature during the Regular Session. This is the third one.

Different approaches have been considered and explored.

I have said in each instance: "This is one way to raise the money we must have. If you have a better idea, then let's look at it."

We must spread spending and taxing over a two-year period in a logical and reasonable fashion, without postponing the major decisions to another year.

This is not the time, however, to argue theories of government and taxation. It is the time to bear down and pass some sort of a tax bill to keep

our state government operating as we enter a new fiscal year.

Aside from the taxes on non-essential items and estimating that business pays up to 35 percent of sales taxes, the bill proposed here is a good division between direct and indirect taxes on the consumer.

We must remember that, if the profit system works properly, the consumer eventually pays virtually all taxes—either directly as taxes or indirectly in the form of higher prices.

This is another subject which could be argued indefinitely. I fully expect my plan to receive criticism.

So did my other plans. So—I am sure—would any plan.

Taxes are just not popular.

And that leads me to this final word:

I do not know, except in isolated instances, what your views, your attitudes and your motivations are at this moment. What you think of my program is not as important as what you think of your own responsibilities.

What you think of me, personally, does not really matter.

It is only when we allow personalities to cloud issues and personal prejudice to warp judgment, that personal attitudes can do harm to the public interests.

It might be well—in view of some of the things that have been written and said about my relationship with the Speaker of the House and the President of the Senate—to disclaim once and for all any thought or concern that these able, dedicated young leaders will not do everything in their power to bring this session to a prompt and successful climax.

We are all three in position to make statements and take positions. It would be a miracle if we never differed. But it is wrong to intimate that these differences are based on any personal considerations.

I am confident I will have their cooperation, as they will have mine.

There is no way that a man in a place of leadership can insure himself against criticism—nor should there be. There is no way he can silence the personal privilege speech, or censor the reproachful press release.

There is still such a thing as free speech.

At the same time, I believe we can all be big enough to set aside narrow

personal feelings, forgive each other our admittedly numerous errors and work together as best we can, as rationally as we can, as wisely as we can, as expeditiously as we can, to get this job done.

It is only in this way that we can prove to a watching public that we deserve to hold these offices with which they have entrusted us.

Even more importantly, for a conscientious man, it is the only way we can prove to ourselves that their trust has not been misplaced.

The Governor's door will be open to you at all times—all day long and into the night. I want to work with you. I want your help. I pledge you mine.

At the conclusion of the address by Governor Smith to the Joint Session, the Speaker of the House presented Mrs. Ima Smith, the First Lady of Texas, to the Joint Session.

At the conclusion of the Joint Session, the President stated the purpose of the Joint Session having been concluded, the Senate would retire to its Chamber.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:20 o'clock p.m.

Message From the House

Hall of the House of Representatives
Austin, Texas,
July 28, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 2, Calling for a Joint Session of the two Houses at 11:30 a.m. July 28, 1969.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Election of President Pro Tempore for First Called Session of the Sixty-first Legislature

The President announced the election of a President Pro Tempore as the next order of business.

Senator Bates nominated Senator H. J. (Doc) Blanchard of Lubbock as President Pro Tempore for the First Called Session of the Sixty-first Legislature.

(Senator Hightower in the Chair.)

Senators Strong, Word, Connally, Creighton, Wilson, Schwartz, Hall, Harrington, Aikin, Watson, Christie, McKool, Herring, Patman, and Hightower seconded the nomination.

There being no further nominations, the Presiding Officer announced the appointment of the following as Tellers to take up and count the ballots: Senators McKool, Watson and Brooks.

The ballots were taken up and counted and the Presiding Officer announced that Senator Blanchard had received 29 votes with 1 present not voting for President Pro Tempore of the First Called Session of the Sixty-first Legislature and declared him duly elected.

(President in the Chair.)

The President appointed Senators Strong, Christie, Hightower, Bates and Ratliff to escort Senator Blanchard and his wife, Mary, and sons, Jeffrey Paul, John Ben, Robert Henry and William Clifton, to the President's Rostrum. Their daughter, Adrienne Robertson, could not be present today.

Senator Blanchard was administered the Constitutional Oath of Office by the President of the Senate as President Pro Tempore of the First Called Session of the Sixty-first Legislature. The President then presented President Pro Tempore Blanchard to the Senate.

President Pro Tempore Blanchard addressed the Senate thanking the Members on behalf of himself, his wife, Mary, and his children for the honor bestowed upon them. He stated further that he was "grateful for the friendship, help and warmth of each and every one of you. The Blanchards are deeply grateful for your friendship and for the honor you have bestowed upon us."

Memorial Resolution

S. R. No. 4—By Senator Brooks: Memorial resolution for L. G. Sanders.

Welcome Resolutions

S. R. No. 5—By Senators Hall and Hightower: Extending welcome to Mr. and Mrs. Phil Grace of Wichita Falls.

S. R. No. 6—By Senator Schwartz: Extending welcome to Mrs. Samuel Bronstien.

Adjournment

On motion of Senator Aikin, the Senate at 12:52 o'clock p.m. adjourned until 11:00 o'clock a.m. tomorrow.

SECOND DAY

(Tuesday, July 29, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Creighton	Kennard
Grover	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Mauzy.

Senator Creighton was granted leave of absence for today on account